REMARKS

In accordance with the following, reconsideration of the allowability of the pending claims is respectfully requested.

Claims 1-19 are pending and under consideration, with claims 1-7 and 17 having been allowed and claims 13, 15, 16, 18, and 19 having been indicated as including allowable subject matter. Briefly, it is noted that the Office Action Summary only indicates that claims 1-7 have been allowed, while the Office Action concludes that claim 17 is also allowed.

IMPROPER OFFICE ACTION

In response to applicants previous remarks regarding how Grundy et al. operates, and how IP addresses are set for the different ports of Grundy et al., e.g., that at no time are any of the ports given a same IP address, or for that matter ever even changed, the Office Action merely indicates on page 3 that the claims fail to recite that the ports would have the same IP address.

However, applicants were not addressing features of the claims that Grundy et al. failed to disclose or suggest, but rather applicants were traversing the interpretation of Grundy et al. and accordingly further attempting to discern actually how the Office Action was interpreting Grundy et al.

Here, the previous and current Office Action's are incomplete and have failed to clearly identify what exact features of Grundy et al. the Examiner is relying upon.

To address this, applicants attempted to explain how Grundy et al. operated and how Grundy et al. could or could not be interpreted. As noted below, applicants again believe a thorough review Grundy et al. is necessary to understand why the same cannot be interpreted as suggested in the Office Action.

Regardless, though applicants have attempted to interpret Grundy et al., and the outstanding Office Action reliance on the same, the previous and current Office Actions are improper for failing to address each and every claimed features. The rejections are further unclear as to how Grundy et al. is being interpreted.

"Anticipation requires the presence in a single prior art reference the disclosure of each and every element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GMBH v. American Hoise and Derrick Co., 221 USPQ 481, 485 (Fed. Cir 1984). The Patent Office has the burden of making out a prima facie case, which requires it to produce the factual basis for its rejection in an application under §§102 and 103. In re Warner,

Accordingly, the rejection of features of claim 8, for example, recites "[Grundy et al. in] fig. 1 teaches a gateway with plurality of ports communicates with DHCP server that store addressing information (store an IP address); the processor 108 performs routing function by assigning local IP addresses to each ports on the gateway [0053]; in particular, fig. 2 teaches step 218 determines whether the destination node (target node) should be routed locally or via WAN whereby based the destination node sets a local addresses (an IP address) to each ports (first and second port) wherein the local addresses."

However, claim 8 sets forth:

"A control method of a gateway comprising *a first port connected to a network* and a *second port connected to a target node* and being employed for a data stream between the network and applications of the target node, the control method comprising:

storing *an IP address of the target node*;

setting an IP address of the second port ***based on*** *the IP address of the target node*; and

setting the IP address of the target node as an IP address of the first port."

Here, the rejection fails to clearly identify what "port" of Grundy et al. is being interpreted as meeting the first port, and which port of Grundy et al. is being interpreted as meeting the second port.

Further, independent claim 8 further requires there to be *several* IP addresses, i.e., there is an IP address of the target node, an IP address of the second port, and an IP address of the first port.

The target node is connected to the second node.

Further, the first node is connected to the network.

However, the Office Action's recited rejection fails to address these particularly claimed features. Rather, the Office Action would only appear to infer that ports that have local addresses meet the first and second ports, that IP addresses are stored, and that routing is selectively preformed locally or within the WAN.

These recited and relied upon features of Grundy et al. cannot be considered as being equal to a recitation of each and every feature.

Further, the rejection fails to address or at least clearly identify what feature or process within Grundy et al. meets the claimed setting of IP addresses, other than local IP addresses being set for the ports of Grundy et al.

Accordingly, it is respectfully submitted that the outstanding Office Action, and previous non-final Office Action, are improper. A new Office Action clearly identifying how the Office Action is interpreting Grundy et al. is required and requested.

REJECTION UNDER 35 USC §102

Claims 8-12, 14 stand rejected under 35 USC §102(b) as being anticipated by Grundy et al., U.S. Publication No. 2004/0010653. This rejection is respectfully traversed.

Again, it is respectfully submitted that Grundy et al. has been misinterpreted.

FIG. 1 of Grundy et al. illustrates a gateway 100, that can be connected to external networks through the broadband link 112. The gateway provides a mechanism for multiple devices to exist within a local network and still communicate with the external networks.

Grundy et al. explains that there is **only** one Real IP address that is available to the gateway for communicating with the external networks, i.e., the entire system of the gateway 100 and connected devices (e.g., PC 180) have only a single IP address for communicating with the external networks. The one real IP address is further assigned to **only one port**.

Grundy et al. then explains that the remaining ports are merely given predetermined local addresses so all ports can communicate locally, i.e., the **one** port that has the real IP address can communicate with the remaining ports through their local addresses, and the remaining ports can communicate with the one port with the real IP address through that real IP address. See Grundy et al. in paragraphs [0025]-[0027] and [0052]-[0053].

Accordingly, at no time are any port IP addresses changed based upon any other port.

Further, no IP address of any port is even initially set based upon the IP address of another port.

Gateway 100 of Grundy et al. performs a routing operation of determining whether data sent from one of the ports with a local IP address is supposed to be transmitted to the external network. In this case, the routing aspect of the gateway 100 **receives** the data from the local port and determines the address the data is supposed to be transferred to.

After receipt and determination of the address to send the data, the routing aspect of Grundy et al. forwards the data to another port, i.e., another port with a local IP address, the port with the real IP address for receipt by the device connected to port, or to the external networks through the real IP address. See Grundy et al. in paragraphs [0033]-[0035] and [0041]-[0042].

Accordingly, at no time is any IP address within Grundy et al. set or assigned based upon a routing determination, or a routing destination.

Further, no routing is performed until the IP addresses are assigned.

Thus, with the system of Grundy et al., a PC can be connected to a port and the port providing network services to PC can have the real IP address, and the remaining ports of the gateway can have local IP addresses, such that data can be shared among all ports locally, or *all ports will transfer data to the gateway and the gateway will forward the same upstream using the real IP address.*

Again, the Office Action recites:

> "[Grundy et al. in] fig. 1 teaches a gateway with plurality of ports communicates *with DHCP server that store addressing information* (store an IP address); the processor 108 performs *routing function by assigning local IP addresses to each ports on the gateway* [0053]; in particular, fig. 2 teaches step 218 *determines whether the destination node (target node) should be routed locally or via WAN whereby based the destination node sets a local addresses (an IP address) to each ports* (first and second port) wherein the local addresses."

However, as noted, any storing of any IP addresses is merely for defined assigning to all ports, whether statically or dynamically. The real IP address is assigned to one port, and the remaining ports are assigned predetermined available local IP addresses.

There is no setting of any real or local IP addresses based on any routing, or upon any destination node. The setting is performed before any communication or routing is performed.

Once the IP addresses are set for respective ports, then standard routing is performed. Data is either kept within the local network, or data is forwarded upstream to external networks using the real IP address. This routing and any related destination node has no relevance on the IP address of any port of the gateway 100.

Accordingly, neither arrangements of two ports with local IP addresses or a port with a local IP address and the port having the real IP address can be considered as being equal to the claimed first and second ports.

Further, in Grundy et al., if the "target" node were to be interpreted as being the PC 180 connected to port 120A, e.g., interpreted as the claimed "second port", there cannot be another port connected to the network. There remaining ports in Grundy et al. cannot be considered "connected to a network."

Still further, with this interpretation, there is no "setting" of an IP address of the port 120A based upon the IP address of the PC 180. The PC 180 does not have an IP address and the IP address of port 120A is only set based upon the real IP address for the system.

If the "target" node is interpreted as being some other device connected to port 120B, for example, then there is still no setting of the IP address of port 120B based upon an IP address

of whatever device is connected to that port. Rather, the IP address of port 120B is only based upon the available local IP addresses.

Lastly, in Grundy et al., if the "target" node is considered to be some upstream device on the external network, there is no clear identification of what port would connect to that target node. If port 120A were interpreted as connecting to that upstream device, then again, the IP address of port 120A is not based upon the IP address of the upstream device.

In this example, further, no IP address of such an upstream device would be set as the IP address of the port 120A, for example.

Regardless of which port 120 is chosen in Grundy et al. **all** features cannot be met in independent claims 8 and 14.

No IP address of any interpreted second port, connected to an interpreted target node, is based upon an IP address of that interpreted target node.

No IP address of that target node is set as the IP address of the first node connected to the network.

Independent claim 14 sets forth a gateway with similar requirements of a first and second ports, and their required connections. The IP address of the target node must be set as an IP address of the first port, and an IP address of the second port must be based upon the IP address of the target node.

Grundy et al. cannot be interpreted as setting forth these features.

Withdrawal of this rejection is respectfully requested.

Lastly, if the outstanding rejection is maintained, applicants respectfully request the Examiner particularly identify what port of Grundy et al. is interpreted as meeting the claimed first port, which port is interpreted as meeting the claimed second port, and particularly identify within Grundy et al. the claimed setting of IP address for the target node as the IP address of the first port, and the setting of the second port based upon the IP address of the target node.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 8/26/08

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